

REMARKS

The Official Action mailed May 11, 2006, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statement filed on January 13, 2006. However, the Applicant has not received acknowledgment of the Information Disclosure Statement filed on April 2, 2004. The Applicant respectfully requests that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of the Information Disclosure Statement filed on April 2, 2004.

Claims 1-18 and 29-46 are pending in the present application, of which claims 1, 7, 13, 29, 35 and 41 are independent. Claims 1 and 29 have been amended to better recite the features of the present invention. The Applicant notes with appreciation the allowance of claims 7-18 and 35-40, the indication of the allowability of claims 5, 6, 33 and 34, and the apparent allowance of claims 41-46 (pages 5-6, Paper No. 20060417). The Applicant notes that claims 41-46 have not been formally rejected in the Official Action, and in the "Allowable Subject Matter" section, the Official Action includes reasons for allowance for claims 41-46 (page 6, ¶3). Therefore, claims 41-46 appear to be allowed, and claims 41-46 should have been included in the list of allowed claims in the Office Action Summary and at page 5. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 4 of the Official Action objects to the drawings "as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 823c, 825c, 826c, 827c, 832a, 835b, 836b, 837b, 838b, 846a, 846b, 846c, 846d, 847a, 858, 974, and 976" (page 2, Paper No. 20060417).

However, 823c, 825c, 826c, 846a-d, 847a, 858, 974 and 976 are, in fact, described in the specification. Specifically, for example, 823c is described at page 30, line 5; 825c is described at page 30, line 13; 826c is described at page 30, line 17; 846a-d is described at page 30, lines 10-11; 847a is described at page 30, line 21; 858 is described at page 29, line 27; 974 is described at page 32, line 9; and 976 is described at page 32, line 7.

Regarding reference characters, 827c, 832a, 835b, 836b, 837b and 838b, the specification has been amended in conformance with Figures 6A-6C in order to provide descriptions of the features associated with the above-referenced reference characters.

The Applicant respectfully submits that the specification includes a description of each of the reference characters shown in the figures. Accordingly, reconsideration and withdrawal of the objections are in order and respectfully requested.

Paragraph 5 of the Official Action objects to the title as not descriptive. In response, the title has been amended in accordance with the Examiner's suggestion. Reconsideration of the objection is requested.

Paragraph 7 of the Official Action rejects claims 1-4 and 29-32 as anticipated by U.S. Patent No. 6,700,096 to Yamazaki. The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

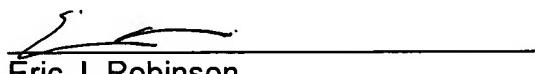
The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended. Independent claims 1 and 29 have been amended to recite that a pulse width of a first pulse laser beam and a pulse width of a second pulse laser beam are different from each other, and that the second pulse laser beam is a fundamental wave. The

Applicant respectfully submits that Yamazaki does not teach the above-referenced features of the present invention, either explicitly or inherently.

Since Yamazaki does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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